

ment of the fact that while they thought a moral reform was being brought in the North, that it was no longer Webster or Clay, but the man whom they had hanged at Charleston as a felon who was now the ideal leader of a regeneration.

These references are made to the utterances of the chairman, and of the clerk selected by him to accompany the committee, and make public impression upon the minds of the people, and the remedy to be applied, because it indicated fully to the undersigned that from the first it would be entirely imprudent for them, with their ideas of constitutional duty, to subscribe to the deductions of those who, however intelligent or conscientious, started upon the proposed investigation upon a platform of ideas.

While writing this report, the undersigned has read with surprise and regret the message of the President of the United States, dated July 31, 1876, transmitting to Congress certain correspondence relating to the murder lately committed at Hamburg, in South Carolina.

In this message he has seen fit to use the following language:

"But recently a committee of the Senate of the United States visited the State of Mississippi to take testimony on the subject of the late Governor's administration. Their reports have not been made public, but I await its forthcoming with a feeling of confidence that it will fully sustain all that I have stated relating to fraud and violence in the State of Mississippi."

U. S. GRANT.

In his letter of the 26th of July to Governor Chamberlain he had stated:

"Mississippi is governed to-day by officials chosen through fraud and violence, such as would scarcely be accredited to any other State, and less to a civilized and Christian people."

This last statement, come it from whom it may, we pronounce in the face of the testimony taken by this committee, and not yet printed, to be untrue and unwarranted by the facts disclosed.

The time of animosity to the white people of the South which breathes throughout the President's message and letter is unmistakable. In his message of July 31, six days subsequent to this letter, the President says: "The report [on Mississippi] has not yet been made public. Why should he anticipate?"

We hold it, and believe it will be so held by right thinking men everywhere, discreditable for the Chief-Magistrate to have exhibited such evidence of prejudice against any portion of his subjects.

It adds, however, but another proof to the many given heretofore that the heart and mind of President Grant are closed to all sense of justice where his political opponents, especially in the Southern States, are concerned.

Other attempts to forestall public opinion in relation to the affairs in Mississippi have been made, calculated to grossly mislead. Two attempts to fasten obliquely upon one of the undersigned, [Mr. Hayes], the blame of the late Governor's administration, and to cause him to appear in the eyes of the people of Mississippi as a man who had been guilty of a crime, are not to be considered.

(Special dispatch to the Baltimore Sun.)

WASHINGTON, July 26.

THE REPUBLICAN REPORT ON MISSISSIPPI.

"Another case illustrative of the general conclusions arrived at by the majority of the committee is that of a native of Philadelphia. He settled near Vicksburg and was with his family. He had been appointed a justice of the peace by the governor of the State, and was engaged in the prosecution of the case of the poor. He was subsequently a candidate for office. On one night fifty armed men dashed upon his premises and shot him down without a word of warning and in the presence of his wife and family. When the story of the wife was told by her own lips to the committee, Senator Bayard, one of the committee, ejaculated, 'I don't believe it!'

"After the murder, according to the report, the assassin hovered about the house and would not permit the wife to leave even the gates of the property. They dragged the bleeding corpse from the arms of the distracted woman, pitched it into a big wheel, and left. Senator Bayard, affected by the narration, repeated, 'I don't believe it! Under the report that these "bandits" for states they compare with Italians of the same class, live upon the people. They are dissolute and indolent, generally the sons of planters impoverished by the war, or the remnants of the old aristocracy who have fastened upon the institution of slavery as the camp-follower lives upon an army."

Mr. Bayard never gave the witness referred to, who was examined in his absence, and he never made any statement in relation to the language or character to that falsely attributed to him. Yet this vicious falsehood has already had wide circulation.

In the New York Times of the 27th of July we find the following letter and preceding declaration:

"Senator Bayard has also received a letter from a colored witness who testified in Mississippi, from which it will be seen how the democracy of that State propose to treat those who obeyed the summons of the Legislature. I having been summoned before your investigating to give a sworn testimony in regard to the late election, which I did, and I told nothing but the truth. Yesterday I was met by an armed mob in the street, and I was compelled to flee. And told me I swore either to say that I swore to a lie, or to leave the city or die. The excitement grew so intense that I was compelled to take back what I said before the committee. I was also met by another mob before the committee and compelled to do the same before I was not home before you receive this letter. If you read this letter where Senator Bayard is, he will write down here and can be heard as soon as I appear on the streets. Therefore it will be best for me to force you to keep this to yourself and other Republicans."

"Of course every one who knows Senator Bayard will smile at this exposition, but it shows the state of terrorism still maintained by the banditti of Mississippi."

For what reason and with what intent this letter was so published we do not know, but the letter itself and the editorial use of it.

It will be observed that the committee were instructed by the resolution to inquire into alleged violations of the Constitution, and the necessity of the same for the enforcement of its provisions; and it would be seen that the scope of the investigation was intended to have been confined to that object. But in the investigation conducted by the majority of the committee, the power of the State of Mississippi, heretofore supposed to be among the reserved powers be-

longing to the States, and not justly subject to exterior control, has been made the subject of the most wide-spread, un-restrained inquiry. The social habits, domestic relations, personal and individual dealings and contracts, local police arrangements, and whole classes of subjects heretofore supposed to be under the sole control of the State and county governments, and even family affairs have been made the subjects of investigation.

The limitations upon the powers of Congress in its relation to the internal affairs of the States have been lately the subject of careful deliberation and adjudication by the Supreme Court of the United States in cases involving the validity of legislation by Congress in *pari materia* with that now proposed by the resolution.

In the recent case of the United States vs. Cruikshank Mr. Chief Justice Waite delivered the opinion of the court and said:

"We have in our political system a Government of the United States and a government of each of the several States. Each of these governments is distinct from the other and each has citizens of its own, who owe it allegiance, and whose rights within its jurisdiction it must protect. The same person may be at the same time a citizen of the United States and a citizen of a State, but his rights of citizenship under one of these governments will be different from those under the other. (Slaughter-house cases, 16 Wallace, 74.)"

"Citizens are the members of the political community to which they belong. Their rights are defined by the Constitution, and who, in their associated capacity, have established or submitted themselves to the dominion of a government for the protection of their general rights, and the protection of their individual as well as their collective rights. In the formation of a government the people may confer upon it such powers as they choose. The government when so formed may, and when called upon to protect the rights of its citizens, the protection of the rights of its citizens and the people within its jurisdiction, but it can exercise no other. The duty of a government to afford protection is limited always by the power it possesses for that purpose."

The government thus established and defined is to some extent a government of the States in its political capacity. It is also for certain purposes a government of the people. Its powers are limited in number but not in degree. Within the scope of its powers, it is authorized and defined it is supreme and absolute; and beyond that, it has no existence. It was erected for special purposes and endowed with all the powers necessary for its own preservation and the accomplishment of its ends. Its powers are not to be extended by implication, and no power is to be inferred by implication from the powers expressly granted. The rights of the States are limited in number but not in degree. Within the scope of its powers, it is authorized and defined it is supreme and absolute; and beyond that, it has no existence. It was erected for special purposes and endowed with all the powers necessary for its own preservation and the accomplishment of its ends. 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